

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stuart Wilson et al.
Serial No.: 10/566,792
Confirmation No.: 7446
Filed: June 2, 2006
For: METHODS AND KITS FOR DETECTING AN ENZYME CAPABLE
OF MODIFYING A NUCLEIC ACID

Examiner: Baughman, Molly E.
Art Unit: 1637

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the enclosed search report from a corresponding International or Foreign National Application.

International Search Report for corresponding International Application No. PCT/GB2004/003325, mailed December 16, 2004.

GB Search Report for corresponding Application No. GB 0318110.4, dated December 16, 2003.

The following are remarks concerning the other information cited:

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Serial No.: 10/566,792
Conf. No.: 7446

- 3 -

Art Unit: 1637

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:


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Docket No.: B0192.70063US00
Date: April 19, 2007
xNDDx

FORM PTO-1449/A and B (modified PTO/SB/08) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/566,792		ATTY. DOCKET NO.: B0192.70063US00	
				FILING DATE: June 2, 2006		CONFIRMATION NO.: 7446	
				APPLICANT: Stuart Wilson et al.			
				GROUP ART UNIT: 1637		EXAMINER: Baughman, Molly E.	
Sheet	1	of	1				

U.S. PATENT DOCUMENTS

Examiner's Initials *	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	3,823,071		Roy	07-09-1974
	A2	4,039,382		Thang et al.	08-02-1977
	A3	4,306,020		Meiattini	12-15-1981
	A4	5,354,668	A	Auerbach	10-11-1994
	A5	5,354,670	A	Ray et al.	10-11-1994
	A6	5,484,700	A	Fujita et al.	01-16-1996
	A7	6,458,544	B1	Miller	10-01-2002
	A8	2002/086324	A1	Laird et al.	07-04-2002

FOREIGN PATENT DOCUMENTS

Examiner's Initials *	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1	WO	01/070943		USB Corp.	09-27-2001	
	B2	EP	0 599 270	A	Aisin Seiki	06-01-1994	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials *	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	BANIN et al., "Demonstration of an alternative approach to immuno-PCR," <i>Clinical Chemistry</i> 2004; 50(10): 1932-1934	
	C2	OHSAKA et al., "The Use of Purified Micrococcal Nuclease in Identifying the Nucleotide Terminus Bearing a Free 5'-Monophosphate," <i>The Journal of Biological Chemistry</i> 1964; 239(10): 3498-3504	
	C3	ON S.L.W. et al., "Assessment of Enzyme Detection Tests Useful in Identification of Campylobacter," <i>Journal of Clinical Microbiology</i> 1992; 30(3): 746-749	
	C4	WU et al., "Improved Oligonucleotide Sequencing by Alkaline Phosphatase and Exonuclease Digestions with Mass Spectrometry," <i>Analytical Biochemistry</i> 2001; 290: 347-352	

EXAMINER:	DATE CONSIDERED:
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* EXAMINER: Initial if reference considered, whether or notation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE — No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]